

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UNITED STATES OF AMERICA

*PLAINTIFFS,*

v.

THE STATE OF TEXAS; GREG ABBOTT IN HIS  
OFFICIAL CAPACITY AS GOVERNOR OF  
TEXAS; TEXAS DEPARTMENT OF PUBLIC  
SAFETY; STEVEN MCCRAW, IN HIS OFFICIAL  
CAPACITY AS DIRECTOR OF TEXAS  
DEPARTMENT OF PUBLIC SAFETY

*DEFENDANTS.*

CASE NO. 1:24-CV-00008-DAE (LEAD CASE)

CONSOLIDATED WITH 1:23-CV-1537-DAE

**EXHIBIT C: DECLARATION OF VICTOR ESCALON,  
REGIONAL DIRECTOR FOR THE TEXAS DEPARTMENT OF PUBLIC SAFETY**

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**DECLARATION OF VICTOR ESCALON**

1. My name is Victor Escalon. I am the Regional Director for the Texas Department of Public Safety (“DPS”) with responsibility for the operations of DPS in South Texas.

2. I have responsibility for DPS operations in a total of twenty-seven counties of South Texas. These counties range along the Rio Grande River near Brownsville, Texas, to the area that includes Del Rio, Texas. I have served in this position for approximately four years. I am familiar with DPS operations that take place along the entire Texas border. I have served with DPS for a total of thirty years. I began working on Operation Lone Star, including arrests for criminal trespass, in March of 2021 and continue to work in that capacity.

3. DPS has responsibility to enforce the criminal laws of the State of Texas. I am personally familiar with the strategy DPS plans to deploy to enforce Texas’s recently enacted law, SB 4, that is the subject of consolidated lawsuits captioned *United States v. Texas*, No. 1:24-cv-8 (W.D. Tex.), as well as the enforcement of state laws under Operation Lone Star.

4. DPS will prioritize enforcement of SB 4 in counties that are close to facilities operated by TDCJ and the State. DPS expects to house and process aliens detained under SB 4 primarily in State-owned facilities and does not anticipate a need for extensive use of county-owned jails.

5. DPS officers will have probable cause to make arrests under SB 4, Tex. Penal Code § 51.02, of aliens who are witnessed entering or re-entering Texas between ports of entry.

6. During Operation Lone Star, when criminal trespass cases have been enforced against aliens, DPS has generally avoided arresting unaccompanied minors or family units and has concentrated enforcement actions against single adults.

7. When DPS officers involved in Operation Lone Star have stopped unaccompanied minors or family units, they have turned them over to U.S. Border Patrol.

8. When aliens communicate a request for asylum or other immigration relief in the United States, DPS officers routinely respond by informing them of their opportunity to properly make such a request to the appropriate federal authorities after they have been arrested and processed.

9. DPS intends to monitor compliance with orders to return that are issued under SB 4, Tex. Code Crim. Proc. Art. 5B.002. When an order is due to be executed, it is DPS's intention to have an officer escort the alien to a port of entry.

10. Prior to escorting the alien, in most instances, DPS will contact Mexican immigration authorities to advise them of our movement of migrants to the port of entry.

11. DPS also intends to coordinate with personnel from the Office of Field Operations with U.S. Customs and Border Protection ("CBP") to inform them when aliens will be brought to ports of entry.

12. DPS intends to cooperate with CBP to assist them with answering requests made by foreign consulates for information concerning their citizens.

13. Should DPS become aware that a detained alien has a pending application for asylum or other relief with the federal government at the time of executing his order to return under SB 4, DPS intends to coordinate with federal immigration authorities before executing the order to return.

14. Throughout Operation Lone Star, Mexican law enforcement has usually been willing to cooperate with DPS. Texas enjoys a cooperative relationship with both federal Mexican immigration police and state police from Mexican border states that DPS expects to continue. DPS expects to work with Mexican authorities to request they allow entry of alien returnees.

15. If Mexican authorities do not accept the entrance of an alien subject to an order to return, the escorting DPS officer will deliver him to the American side of a port of entry and observe the alien go to the Mexican side. Upon witnessing the aliens cross to the Mexican side of the international bridge, the officer will consider the aliens to have complied with the return order and will cease monitoring the alien.

I hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and information.

Signed this 7th day of February 2024.

A handwritten signature in blue ink, reading "Victor Escalon", written over a horizontal line.

Victor Escalon  
Regional Director  
Texas Department of Public Safety